

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

International Union of Operating Engineers,)
Local 150, AFL-CIO,)

Plaintiff,)

v.)

Michael Hogan, individually,)
d/b/a Hogan Excavating,)

Defendant.)

Case No. 22-cv-5717

Judge: John J. Tharp, Jr.

Magistrate Judge: Young B. Kim

MOTION FOR ENTRY OF DEFAULT AND JUDGMENT

Pursuant to Rule 55, Fed. R. Civ. P., Plaintiff International Union of Operating Engineers, Local 150, AFL-CIO (“Local 150”), hereby moves for entry of judgment by default against Defendant Michael Hogan, individually, d/b/a Hogan Excavating (“Hogan”). In support of its motion, Plaintiff states as follows:

1. On October 18, 2022, Local 150 filed suit against Hogan for unpaid wages and benefits, liquidated damages, and attorneys’ fees and costs owed under a collective bargaining agreement with Local 150, which is effective from June 1, 2021, through May 31, 2024 (Complaint, Doc. #1).

2. On October 30, 2022, Local 150 served Hogan with the Summons and Complaint (Doc. #4). Pursuant to Fed. R. Civ. P. 12(a), Hogan was required to appear and answer Local 150’s Complaint on or before November 21, 2022.

3. As of the time of the filing of this Motion, Hogan has not answered or otherwise plead in response to Local 150’s Complaint.

WHEREFORE, Plaintiff respectfully requests that this Court grant this Motion and enter judgment against Defendant for the following amounts (Exhibit A, Certification of Robert A. Paszta):

Unpaid wages and benefits:	\$110,435.93
Liquidated Damages:	\$11,043.59
Attorneys' fees:	\$1,500.00
Costs:	\$710.50
Total:	<u>\$123,690.02</u>

Dated: December 21, 2022

Respectfully submitted,

By: /s/ Robert A. Paszta
Attorney for Plaintiff

Robert A. Paszta (*rpaszta@local150.org*)
Local 150 Legal Department
6140 Joliet Road
Countryside, IL 60525
Ph. 708/579-6663
Fx. 708/588-1647

CERTIFICATE OF SERVICE

The undersigned, an attorney of record, hereby certifies that on December 21, 2022, he electronically filed the foregoing with the Clerk of Court using the CM/CM/ECF system. The undersigned further certifies that he caused a copy of the foregoing to be served via UPS Overnight Delivery on the following:

Mr. Michael Hogan
6616 Barnard Mill Road
Ringwood, IL 60072

By: /s/ Robert A. Paszta
Attorney for Plaintiff

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